

Permit Class
MODIFICATION/MAJOR

Permit Number
79-19

STATE OF NORTH CAROLINA
Department of Environmental Quality
and
Coastal Resources Commission

Permit

for

X Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

X Excavation and/or filling pursuant to NCGS 113-229

Issued to **Town of Sunset Beach, 700 Sunset Blvd N., Sunset Beach, NC 28468**

Authorizing development in Brunswick County adj. to Sunset Beach and seaward of 3rd through
13th St., in Sunset Beach, as requested in the permittee's application dated 8/28/20, including
the attached workplan drawings (7), Sheets 1-7 of 7 all dated 9/9/20.

This permit, issued on **February 18, 2021**, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

- 1) Unless specifically altered herein, all development activities shall be carried out in accordance with the attached workplan drawings.

Nearshore Disposal

- 2) Placement of material shall not exceed a vertical clearance depth of -6 feet mean low water.
- 3) The temporary placement or double handling of excavated or fill materials within waters or vegetated wetlands is not authorized.

(See attached sheet for additional conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date.

Signed by the authority of the Secretary of DEQ and the Chair of the Coastal Resources Commission.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

December 31, 2024

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.



For Braxton C. Davis, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

Signature of Permittee

ADDITIONAL CONDITIONS

- 4) No excavation or filling of wetlands is authorized by this permit.
- 5) Should dredging operations encounter sand deemed non-compatible with 15A NCAC 07H .0312 (Technical Standards for Beach Fill Projects), the dredge operator shall immediately cease operation and contact the NCDCM. Dredge operations shall resume only after resolution of the issue of sand compatibility.
- 6) This permit authorizes a one-time event for nearshore disposal, as depicted on the attached workplan drawings. Any request to carry out additional activities may require a modification of this permit.
- 7) In accordance with commitments made by the permittee, all monitoring commitments made in the Project Narrative dated "Received DCM Wilmington" 9/2/20 shall be adhered to and all surveys and findings provided to the Division upon completion.

General

- 8) No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work.
- 9) The permittee shall obtain any necessary authorizations or approvals from the US Army Corps of Engineers and the North Carolina Division of Water Resources prior to initiation of any permitted activity. Unless specifically altered herein, the permittee shall adhere to all conditions of the Federal and State approvals once issued.
- 10) All conditions and stipulations of the active permit remain in force under this Major Modification, unless specifically altered herein.
- 11) This Major Modification shall be attached to the original Permit No. 79-19, which was issued to the permittee on 10/28/19, and copies of all documents must be readily available on site when Division personnel inspect the project for compliance.
- 12) This permit shall not be assigned, transferred, sold, or otherwise disposed of to a third party without the written approval of the Division of Coastal Management.
- 13) The permittee and his contractor shall schedule a pre-construction conference with the Division of Coastal Management prior to the initiation of any dredging or mobilization activities.

NOTE: This permit does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required.

NOTE: An application processing fee of \$475 was received by DCM for this project. This fee also satisfied the Section 401 application processing fee requirements of the Division of Water Resources.



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

February 18, 2021

To whom it may concern:

This letter is in response to your correspondence, which was received by the Division of Coastal Management regarding your concerns about the proposed development by the Town of Sunset Beach between 3rd Street and 13th Street, in Sunset Beach, Brunswick County. The proposed project consisted of nearshore placement of beach compatible dredge spoil from the approved project 79-19. The proposed project modification has been determined to comply with the Rules of the Coastal Resources Commission and as such, a permit has been issued to authorize the development. I have attached a copy of the permit within this email correspondence.

If you wish to contest our decision to issue this permit, you may file a request for a Third Party Appeal. The Chair of the Coastal Resources Commission will consider each case and determine whether to grant your request to file for a Contested Case Hearing. The appeal must be filed with the Director, Division of Coastal Management, in writing and must be received within twenty (20) days of the disputed permit decision.

If you would like copies of the appropriate appeal forms or should you like to discuss the specifics of the process, please feel free to contact me by telephone at (252) 808-2808 extension 211, or most preferred, by email at Curt.Weychert@ncdenr.gov.

Sincerely,

A handwritten signature in black ink that reads "Curt Weychert".

Curt Weychert
Assistant Major Permit Coordinator

CC: WiRO Office

